

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MARJORIE HYPPOLITE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-CV-11011 (MLW/LTS)
	)	
ELECTRONIC DATA SYSTEMS	)	JOINT STATEMENT PURSUANT
CORPORATION,	)	TO LOCAL RULE 16.1
	)	
Defendant.	)	

Pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts and in compliance with the Court's Order of August 12, 2005, Plaintiff Marjorie Hyppolite and Defendant Electronic Data Systems Corporation (collectively, the "Parties") hereby submit the following Statement in the above-captioned action.

**I. PROPOSED DISCOVERY PLAN**

**A. Fact Depositions**

The Parties propose that all written discovery and fact depositions be completed by January 9, 2006. The Parties agree to limit the number of fact depositions to ten (10) depositions for each side, pursuant to Local Rule 26.1(C). Any party that wishes to take more than ten (10) depositions may not do so without permission of the Court. The limit on depositions set forth above shall not prevent any party from seeking a protective order, where appropriate, to preclude or limit any particular deposition.

**B. Expert Depositions**

In addition to the fact depositions, the Parties may also take expert depositions if necessary. Disclosure of expert witnesses shall be in accordance with applicable rules.

**C. Written Discovery**

The Parties agree to comply with the discovery event limitations set forth in Local Rule 26.1(C).

**II. PRE-TRIAL SCHEDULE/SCHEDULE FOR FILING MOTIONS**

The Parties propose the following pre-trial schedule:

1. Amend pleadings and add parties by November 9, 2005.
2. Plaintiff's Expert Report to be filed by February 9, 2006.
3. Defendant's Expert Report to be filed by March 9, 2006.
4. All expert discovery to be completed and all challenges to expert designations to be filed by March 30, 2006.
5. All fact discovery to be completed by January 9, 2006.
6. All dispositive motions to be filed by April 28, 2006.
7. A Pre-Trial Conference to be held, if appropriate, twenty-one (21) days after a decision on any Rule 56 motion.

**III. CERTIFICATIONS**

The Parties' certifications pursuant to Local Rule 16.1(D)(3) are attached hereto as Exhibit A.

**IV. MAGISTRATE JUDGE**

Pursuant to Local Rule 16.1(B)(3), Defendant does not agree to proceed before a Magistrate Judge on any matter in this action.

**V. CERTIFICATION OF FILING OF INITIAL DISCLOSURES**

The Parties certify that they will serve their Initial Disclosures pursuant to Federal Rule of Civil procedure 26(a)(1) on September 7, 2005.

Respectfully submitted,

/s/ David Green

David Green, Esq.  
Attorneys@alfordandbertrand.com  
Alford & Bertrand, LLC  
60 Arsenal Street  
Post Office Box 322  
Watertown, MA 02471-0322  
(617) 926-8800  
Attorneys for Plaintiff  
Marjorie Hyppolite

/s/ Leah M. Moore

Joseph P. McConnell (BBO 566412)  
Leah M. Moore (BBO 658217)  
jmccConnell@morganbrown.com  
Morgan, Brown & Joy LLP  
200 State Street  
Boston, Massachusetts 02109  
(617) 523-6666 (telephone)  
(617) 367-3125 (facsimile)

Admitted *Pro Hac Vice*

Martin T. Wymer (OH0004004)  
mwymer@bakerlaw.com  
Kelly M. King (OH0076613)  
kking@bakerlaw.com  
BAKER & HOSTETLER LLP  
3200 National City Center  
1900 East Ninth Street  
Cleveland, OH 44114-3485  
(216) 621-0200 (telephone)  
(216) 696-0740 (facsimile)

Attorneys for Defendant  
Electronic Data Systems Corporation

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FOR THE DISTRICT OF MASSACHUSETTS

MARJORIE HYPPOLITE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-CV-11011 (MLW/LTS)
	)	
ELECTRONIC DATA SYSTEMS	)	LOCAL RULE 16.1(D)(3)
CORPORATION,	)	CERTIFICATION
	)	
Defendant.	)	

Pursuant to Local Rule 16.1(D)(3), the undersigned hereby certify that the Parties and their counsel have conferred:

(a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of the litigation; and

(b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

**PLAINTIFF**

/s/ Marjorie Hyppolite  
Plaintiff

/s/ David Green  
Attorney for Plaintiff

**DEFENDANT**

/s/ Karie Dalton  
Electronic Data Systems Corporation  
Defendant

/s/ Martin T. Wymer  
Attorney for Defendant